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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SUNRISE HOSPITAL AND MEDICAL CENTER,
LLC; SUNRISE MOUNTAINVIEW HOSPITAL,
INC.; and SOUTHERN HILLS MEDICAL
CENTER, LLC,

Plaintiffs,

vs.

BLUE CROSS OF CALIFORNIA D/B/A ANTHEM
BLUE CROSS; ANTHEM BLUE CROSS LIFE AND
HEALTH INSURANCE COMPANY; and KEENAN &
ASSOCIATES, INC.,

Defendants.

Case No.: 2:23-cv-01986-APG-EJY

**JOINT MOTION TO EXTEND CASE
DEADLINES**

(FIRST REQUEST)

NOW COMES, Plaintiffs, Sunrise Hospital and Medical Center, LLC, d/b/a Sunrise
Hospital & Medical Center (“Sunrise Hospital”), Sunrise MountainView Hospital, Inc. d/b/a

MountainView Hospital (“MountainView Hospital”), and Southern Hills Medical Center, LLC d/b/a Southern Hills Hospital & Medical Center (“Southern Hills Hospital”), (collectively “Plaintiffs”), and Defendants Blue Cross of California d/b/a Anthem Blue Cross, Anthem Blue Cross Life and Health Insurance Company (collectively the “Anthem Defendants”) jointly, (collectively, Plaintiffs and Anthem Defendants are referred herein as the “Parties”), by and through their counsel, and file this Joint Motion to Extend Case Deadlines. Further, counsel for Plaintiffs has conferred with counsel for Keenan & Associates, Inc. (“Keenan”) who stated that Keenan is unopposed to the relief sought in this motion. The Parties respectfully show the Court as follows:

1. On November 30, 2023, Plaintiffs filed their complaint in this matter. [Dkt. #1]. Subsequently, the Anthem Defendants filed their answer on September 9, 2024. [Dkt 60]. Keenan filed its answer on October 1, 2024. [Dkt. 65]

2. On September 17, 2024, this Court entered the operative Scheduling Order [Dkt. 63, Dkt. 64], setting the following key deadlines for claims under ERISA:

- a. Deadline for production of the administrative record – 90 days after answer; and
- b. Deadline for Plaintiffs’ motion for judgment on the record – 175 days after production of the administrative record.

3. On September 17, 2024, this Court entered the operative Scheduling Order [Dkt. 63, Dkt. 64], setting the following key deadlines for claims not subject to ERISA:

- a. Deadline for the completion of discovery – March 10, 2025;
- b. Deadline for initial expert disclosures for parties seeking affirmative relief – January 9, 2025;
- c. Deadline for rebuttal expert disclosures – February 7, 2025;
- d. Deadline for the filing of dispositive motions – April 9, 2025; and
- e. Date by which the parties will file the joint pretrial order – May 9, 2025. In the event that dispositive motions are filed, the date for filing the joint pre-trial order shall be suspended until 30 days after entry of an order on the dispositive motions or until further order of the Court.

4. The Parties are currently in active settlement negotiations. As such, collectively, the Parties agree that certain key deadlines be extended 90 days to allow for settlement negotiations to occur.

5. These extensions are not meant for delay and there is good cause for extending the deadlines. Extending the deadlines will allow the Parties to try and reach a resolution without incurring further expense in discovery.

6. The Parties mutually agree, and jointly petition this Court, to extend the deadlines as follows for claims subject to ERISA:

a. Deadline for production of the administrative record – March 10, 2025; and

b. Deadline for Plaintiffs' motion for judgment on the record – July 8, 2025.

7. The Parties mutually agree, and jointly petition this Court, to extend the deadlines as follows for claims not subject to ERISA:

a. Deadline for the completion of discovery – June 9, 2025;¹

b. Deadline for initial expert disclosures for parties seeking affirmative relief – April 9, 2025;

c. Deadline for rebuttal expert disclosures – May 8, 2025;

d. Deadline for the filing of dispositive motions – July 8, 2025; and

e. Date by which the parties will file the joint pretrial order – August 7, 2025. In the event that dispositive motions are filed, the date for filing the joint pre-trial order shall be suspended until 30 days after entry of an order on the dispositive motions or until further order of the Court.

¹ 90 days from March 10, 2025, is Sunday, June 8, 2025. Deadline moved to next Judicial Day being Monday, June 9, 2025.

8. All other remaining deadlines in the operative Scheduling Order [Dkt. 63] shall remain the same.

DATED this 9th day of January, 2025.

DATED this 9th day of January, 2025.

BAILEY ❖ KENNEDY

MCDOWELL HETHERINGTON LLP

By: /s/ Joshua M. Dickey

By: /s/ Thomas F.A. Hetherington

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Sunrise MountainView Hospital, Inc.; and

Southern Hills Medical Center, LLC

Attorneys for Defendants

Blue Cross of California dba Anthem Blue

Cross and Anthem Blue Cross Life and Health

Insurance Company

IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

Date: January 10, 2025